



**Pete Ricketts**  
Governor

**STATE OF NEBRASKA**  
**NEBRASKA COMMISSION ON LAW ENFORCEMENT AND CRIMINAL JUSTICE**  
**Darrell Fisher**  
Executive Director

**REGULAR MEETING OF THE  
POLICE STANDARDS ADVISORY COUNCIL  
FEBRUARY 17, 2016**

**I. CALL TO ORDER**

Chairman Matt McCarthy called the monthly meeting of the Police Standards Advisory Council to order at 9:00 AM. A current copy of the Nebraska Open Meetings Act was on hand and available for reference. Notice of the meeting was published in the Lincoln Journal Star on Friday, February 12, 2016. Roll call of members present; Mr. Matthew McCarthy, Sheriff Larry Koranda, Chief Timothy Larby, Captain Genelle Moore, Lieutenant Colonel Thomas Schwarten, Sheriff Jerry Watson and Chief Tracy Wolf.

**II. APPROVAL OF JANUARY 20, 2016 P.S.A.C. MINUTES**

**MOTION**

Sheriff Jerry Watson motioned to approve the minutes as presented. Lieutenant Colonel Schwarten seconded the motion. Voting in favor: Mr. McCarthy, Chief Larby, Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, Sheriff Watson, and Chief Wolf.

**III. ACADEMY REPORTS**

**A. Director – N.L.E.T.C.**

Mr. Muldoon introduced Deputy Chief Greg Gonzales, Captain Michael Magee, and Lieutenant Laurie Scott of the Omaha Police Department. Chief Pete Kortum of the Hastings Police Department. Newly appointed P.S.A.C. Council member of the first class, Chief Tracy Wolf of the Lexington Police Department and the new Training Center Registrar, Molly Tebo.

A Blue Courage Executive briefing was held February 9<sup>th</sup> at the Gallup Riverfront Campus in Omaha, with about 35 in attendance.

I attended the IADLEST business meeting in Washington February 6-7, 2016 where they talked about rolling out the escalation of force and CIT training on the heels of Safeguarding Children. There is a 17-minute training video that goes with safeguarding children that can be obtained from the BJA website.

One officer was suspended for the Continuing Education; the letter is in the information packet.

Last year an audit was completed on agencies for continuing education; agencies were selected randomly through a program Jon Hawkins created in our database. I will have Jon prepare the audit next month.

#### **B. Deputy Director of Training – N.L.E.T.C.**

Ms. Urbanek stated graduation is Friday, February 19<sup>th</sup> at 11:00 AM. Chief Kortum would be the keynote speaker with 51 students graduating; yesterday 2 students were separated and 1 was suspended.

Courses currently being held; Defensive Tactics Instructor Recertification, Supervision, and Dispatcher Training. Next week we will start a 2-week Jail Training Course, and the following week we will conduct a Defensive Tactics Instructor course, a 2-week Crash Investigation Course, SHARP Class, and a Management Class which will take us to the next basic class.

We are completing Unit 1 of the Reciprocity and Reactivation course the deadline is Friday at noon. 11 students are in the course; 8 Reactivation and 3 Reciprocity. They will be onsite next week for 4 days to refresh their skills in Defensive Tactics, Driving, Firearms, and Introduction to Active Shooter and Patrol Rifle courses.

The 3-day ARIDE Course scheduled for February 11-13 was cancelled due to low enrollment.

We are scheduling out the next basic training session and I am scheduling out calendar year 2017.

#### **C. Nebraska State Patrol**

Captain Duis stated they were currently hosting a Smith and Wesson Glock Armor school.

Our last In-Service is going on until our basic begins Monday, February 22<sup>nd</sup> with 23 recruits.

### **IV. CRIME COMMISSION REPORT**

Executive Director Fisher gave a Legislative update.

LB 679 – Crime Commission introduced to cleanup language in the Community Corrections Act.

LB 831 – Automatic License Plate Reader Privacy Act.

LB846 – Witness ID Act, moved out of committee to the general file with amendment 1908.

LB1000 – Defines terms requiring certain law enforcement agencies to adopt policies on the use of body-worn cameras; to exempt recordings from body-worn cameras from disclosure under the public records statutes; to prohibit the unauthorized release or intentional destruction of such recordings; and to provide a penalty.

LB1079 – Enacting law enforcement to redefine law enforcement agency as prescribed; to change provisions relating to law enforcement officer jurisdiction; to harmonize provisions and to repeal the original sections.

LB920 – Would add 2 new members to the Police Standards Advisory Council; both being from the rank of Sergeant or below. There is nothing stopping representatives from the same agencies from being appointed to the Council. The public hearing before the judiciary committee is Thursday.

Mr. Fisher stated if the rank and file is looking for representation when it comes to curriculum, they already have that with the Job Task Analysis. They are already being represented well in that regard. If their concern is revocation, I am very concerned, because we have worked very hard in the last two years to get through the back log and we are still not where I would say we are static, but we are close. The Senator knows we have concerns about this Bill and you can voice your concerns two ways; either in person and go in and testify or you can send correspondence right to the chair.

Revocation; the Crime Commission acted on two cases last month so we are down to four. The Attorney General has filed the formal Complaint on one and the other one is before the court of appeals. The last two are in investigative review here at the Training Center.

Members agreed the Chair would draft a letter to the committee in response to LB920 to be read into the record as they agreed it was a bad idea, was not specific enough, the inexperience of young officers and lack of being able to see the profession as a whole, Historical makeup of this board and what caused it to be formed and what has been done.

## **V. OLD BUSINESS**

### **A. Appointments to Basic Training Curriculum Subcommittee**

Sheriff Watson stated at the December meeting it was motioned to establish a subcommittee and these would be the appointments to that committee and the committee would be made up of two representatives of the Police Chief's Association, one representative from 40,000 or more, sheriff's Association from 40,000 or more and less than 40,000, two members from this council, and then staff from the Training Center and legal counsel. The Sheriff's Association has selected Sheriff Hebbert, and Lieutenant Mark Trapp from Sarpy County. Chief Pete Kortum and Chief Hogue from Central City are for PCAN.

Deputy Chief Gregory Gonzalez addressed the Council stating they had got wind there was going to be a subcommittee I don't know what the history is we do want to be engaged, we do want to be part of the party when it comes to being part of the decision making, especially when it comes to training, as you all know we have one of four state certified academies, and so while we talk about representation for the motion, it is important to note, if you refer back to the minutes, I sent a letter to Mr. McCarthy outlining some of our concerns. Statutorily some of those concerns have to be met with at the legislature but first and foremost it is the subcommittee representation for the Omaha Police. We believe our Omaha training academy is state of the art. I put in some statistics in regard to some of the training we have conducted for 2015; I think we are probably on the front lines of trends. We recently graduated 90 recruits. Our training staff certainly wants to be the best practices and I think we are probably second to none. I know there are a lot of good instructors in the state but I know that we have some top notch instructors as well.

One of the things we probably have a commonality with on the western side of the state is assisted school resource officers we put in all of our middle schools. Most of them are about the average age of 55, retired, coming back want to continue to work to stay certified. So we believe a voice and literally kind of looking at why things are done for that purpose are important for us to have a voice on the subcommittee, not so much the overtake the committee, we understand being a metropolitan city some of our challenges are different than yours but I think we have a lot of the same challenges statewide. We would just request that you take under consideration; it would be nice to have another addendum to the motion, if we're not being represented at least contacted, I'm certainly not trying to throw anyone under the bus, but it is nice to get a phone call and we do want to reach out and have open communication. With the volume of recruits Omaha puts through the academy it would be very important for our training staff to contribute to the subcommittee.

Sheriff Watson stated based on the Chief Deputy's testimony before the Council today, we have identified two members of NLETC to be a part of the subcommittee, as well as, Mr. Stolz, Legal Counsel. Would it be proper to amend the motion and include command level training academy staff from not only NLETC, but Omaha, Lincoln and State Patrol to address the concerns we just heard. It's just a comment, I'm not saying it's the best route to go; we don't want the committee to get too large, and stifle the ability to get something done.

Chief Larby stated do we feel like our large agency representation not the liaison to their size or their ranks, is that not adequate to be that conduit?

Sheriff Watson stated we could say that, but whether that's a factual statement or not I would probably argue the point but, personally I don't see any issue with having more in the conversation. I have no problem with having Omaha, Lincoln and NSP and everybody being a part of the conversation because we are all basically dealing with the same curriculum. I think the only concern I have would be the committee being too big and not accomplishing a lot.

Mr. Muldoon felt the curriculum representative from each academy should be on the subcommittee.

Sheriff Watson you have appointments from NSA and PCAN, that's 4 then you need 2 members of PSAC, one from each of the four academies and Mr. Stolz; eleven total.

### MOTION

Sheriff Watson I will make a motion to reference the standing subcommittee for the curriculum that we include one representative from certified academies within the state. Lieutenant Colonel Schwarten seconded the motion. Voting in favor; Chief Larby, Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, Sheriff Watson, Chief Wolf, and Mr. McCarthy.

Mr. McCarthy stated the next step would be to appoint the names to the Subcommittee. Sheriff's Association was Sheriff Shawn Hebbert currently Grant County but moving to Keith County Sheriff's Office as a Chief Deputy. Lieutenant Mark Trapp with Sarpy County Sheriff's Office. Chief Pete Kortum of the Hastings Police Department and Chief Mark Hogue of the Central City Police Department. Deputy Director Brenda Urbanek of the NLETC, from Omaha Police Department

Training Academy, Lieutenant Laurie Scott, Captain Buck Duis of the Nebraska State Patrol Training Academy, Captain Genelle Moore of the Lincoln Police Department (two PSAC members serving a dual role will be Captain Moore and Sheriff Jerry Watson will serve as Chair of the Subcommittee and PSAC member and Mr. David Stolz as Legal Counsel for the Subcommittee.

**B. Title 79, Chapter 11 – Firearms Certification Standards**

Mr. Stolz stated the majority of the rule and regulation change is the addition of the firearms patrol rifle qualifications and the patrol rifle instructor certification there other changes including the change this council addressed in the last meeting dealing with the 90% qualification score.

Chief Wolf stated he didn't see anything in the regulation addressing what type of course would be implemented.

**MOTION**

Sheriff Watson made a motion as far as tabling this and deferring this to the working group off of the Council consisting of Chief Tim Larby, Sheriff Larry Koranda and Chief Tracy Wolf who would work with NLETC staff and bring a recommendation to the next meeting. Captain Moore seconded the motion. Voting in favor; Sheriff Koranda, Mr. McCarthy, Captain Moore, Lieutenant Colonel Schwarten, Sheriff Watson, Chief Wolf, and Chief Larby.

**VI. NEW BUSINESS**

**A. 2015 Annual Handgun Qualification/Continuing Education Waiver Requests**

**MOTION**

Sheriff Watson moved that the Council go into Executive Session based upon prevention of needless injury to the reputation of those individuals on this list and for the purposes of executive session we will allow Director Muldoon, legal counsel, and anyone in the gallery with officers listed below to stay, OPD or Dawson County. Sheriff Koranda seconded the motion. Voting in favor; Captain Moore, Lieutenant Colonel Schwarten, Sheriff Watson, Chief Wolf, Mr. McCarthy, Chief Larby, and Sheriff Koranda.

The Council went into Executive Session at 11:02 AM.

**MOTION**

Lieutenant Colonel Schwarten motioned to come out of Executive Session. Sheriff Koranda seconded the motion. Voting in favor; Lieutenant Colonel Schwarten, Sheriff Watson, Chief Wolf, Mr. McCarthy, Chief Larby, Sheriff Koranda, and Captain Moore. The Council came out of Executive Session at 11:15 AM.

### **MOTION**

Lieutenant Colonel Schwarten motioned to grant the waiver for Deputy Larry Irish from Dawson County Sheriff's Office for request of the annual handgun qualification for calendar year 2015 and continuing education requirements for 2015 and grant the waiver until May 1<sup>st</sup> of 2016 to get these hours up-to-date if he so remains in the law enforcement profession with the sheriff's office. Sheriff Watson seconded. Voting in favor; Sheriff Watson, Chief Wolf, Mr. McCarthy, Chief Larby, Sheriff Koranda, Captain Moore and Lieutenant Colonel Schwarten.

### **MOTION**

Lieutenant Colonel Schwarten motioned to go back into Executive Session. Sheriff Koranda seconded the motion. Voting in favor; Chief Wolf, Mr. McCarthy, Chief Larby, Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, and Sheriff Watson. The Council went into Executive Session at 11:20 AM.

### **MOTION**

Sheriff Koranda motioned to come out of Executive Session; Lieutenant Colonel Schwarten seconded the motion. Voting in favor; Mr. McCarthy, Chief Larby, Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, Sheriff Watson, and Chief Wolf. The Council came out of Executive Session at 11:25 AM.

### **MOTION**

Sheriff Koranda motioned to grant the firearm and continuing education waivers for both Robert Alexander and Cynthia Wiles of the Omaha Police Department for 2015. Captain Moore seconded the motion. Voting in favor; Sheriff Koranda Captain Moore, Lieutenant Colonel Schwarten, Sheriff Watson, Chief Wolf, Mr. McCarthy, and Chief Larby.

### **MOTION**

Sheriff Koranda motioned to table till the next meeting the following six officers from the Omaha Police Department, the Continuing Education Waiver for James Hasiak, and the Continuing Education waiver for Eric Nordby, the Continuing Education and Firearms for Jeffrey Kilgore, Keith Thompson, Larry Wells, and Ryan Wullschleger all from the Omaha Police Department all for the year 2015 till the next meeting. Chief Larby seconded the motion. Voting in favor; Lieutenant Colonel Schwarten, Sheriff Watson, Chief Wolf, Mr. McCarthy, Chief Larby, Sheriff Koranda, and Captain Moore.

### **MOTION**

Sheriff Koranda motioned to go back into Executive Session. Captain Moore seconded the motion. Voting in favor; Sheriff Watson, Chief Wolf, Mr. McCarthy, Chief Larby, Sheriff Koranda, Captain Moore, and Lieutenant Colonel Schwarten. The Council went into Executive Session at 11:30 AM.

### **MOTION**

Lieutenant Colonel Schwarten motioned to come out of Executive Session. Chief Larby seconded the motion. Voting in favor; Chief Wolf, Mr. McCarthy, Chief Larby, Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, and Sheriff Watson. Executive Session ended at 11:44 AM.

### **MOTION**

Lieutenant Colonel Schwarten called the meeting to order. Chief Larby seconded the motion. Voting in favor; Chief Wolf, Mr. McCarthy, Chief Larby, Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, and Sheriff Watson.

### **MOTION**

Sheriff Koranda motioned to grant the waiver for Colleen Busch of the Alliance Police Department for 2015 Continuing Education. Sheriff Watson seconded the motion. Voting in favor; Mr. McCarthy, Chief Larby, Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, Sheriff Watson, and Chief Wolf.

### **MOTION**

Captain Moore motioned to table the waiver for Steve Bohlen with the Blair P.D. on both his Continuing Education and Firearms till March for more information. Sheriff Watson seconded the motion. Voting in favor; Chief Larby, Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, Sheriff Watson, Chief Wolf, and Mr. McCarthy.

Letters requesting additional information for those being tabled will be sent by the Training Center.

### **MOTION**

Captain Moore motioned to grant the waiver for David Gerhardus with the Grand Island Police Department for his 2015 Continuing Education Certification hours and his Firearms. Chief Wolf seconded the motion. Voting in favor; Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, Sheriff Watson, Chief Wolf, Mr. McCarthy, and Chief Larby.

### **MOTION**

Sheriff Watson motioned to table Mitchell Meyer's request for a waiver reference continuing education hours pending we need more information. Captain Moore seconded the motion. Voting in favor; Lieutenant Colonel Schwarten, Sheriff Watson, Chief Wolf, Mr. McCarthy, Chief Larby, Sheriff Koranda, and Captain Moore.

### **MOTION**

Sheriff Koranda motioned to grant the waiver for Josh Armon of Hastings Police Department for his Continuing Education. Chief Larby seconded the motion. Voting in favor; Sheriff Watson, Chief Wolf, Mr. McCarthy, Chief Larby, Sheriff Koranda, Captain Moore, and Lieutenant Colonel Schwarten.

### **MOTION**

Sheriff Watson motioned to grant the waiver for Dale Burrage of the Lincoln Airport Authority for both Firearms and Continuing Education for the year 2015. Chief Larby seconded the motion. Voting in Favor; Chief Wolf, Mr. McCarthy, Chief Larby, Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, and Sheriff Watson.

### **MOTION**

Lieutenant Colonel Schwarten motioned to grant a waiver of handgun qualification and continuing education requirements for Lincoln County Sheriff's Office employee Colton Magill for 2015. Captain Moore seconded the motion. Voting in Favor; Mr. McCarthy, Chief Larby, Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, Sheriff Watson, and Chief Wolf.

### **MOTION**

Sheriff Koranda motioned to table Gregory Graham and Joshua Schaaf of the Lincoln Police Department for Continuing Education till the next available meeting. Lieutenant Colonel Schwarten seconded the motion. Voting in Favor; Chief Larby, Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, Sheriff Watson, Chief Wolf, and Mr. McCarthy.

### **MOTION**

Sheriff Koranda motioned to grant the waiver for Robert Mangels of the Lincoln Police Department for both his Continuing Education and Firearms for 2015. Chief Larby seconded. Voting in Favor; Chief Larby, Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, Captain Moore, Chief Wolf, and Mr. McCarthy.

### **MOTION**

Sheriff Watson motioned to grant a waiver for Dennis Frey of the Nebraska State Patrol for both Firearms qualification and his Continuing Education for the year 2015. Chief Larby seconded the motion. Voting in Favor; Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, Captain Moore, Chief Wolf, Mr. McCarthy, and Chief Larby.



### **MOTION**

Captain Moore motioned to grant a waiver for Platte County Sheriff's Officer Shane Prather for his Continuing Education hours and Firearms Qualification for 2015. Sheriff Watson seconded the motion. Voting in Favor: Lieutenant Colonel Schwarten, Captain Moore, Chief Wolf, Mr. McCarthy, Chief Larby, Sheriff Koranda, and Captain Moore.

### **MOTION**

Sheriff Koranda motioned to table Steve Grabowski Continuing Education waiver and Stephanie Squires Continuing Education waiver and Firearms waiver they are both from the Sarpy County Sheriff's Office, until the next available meeting. Sheriff Watson seconded the motion. Voting in Favor: Lieutenant Colonel Schwarten, Captain Moore, Chief Wolf, Mr. McCarthy, Chief Larby, Sheriff Koranda, and Captain Moore.

### **MOTION**

Lieutenant Colonel Schwarten motioned for a conditional waiver to Officer Paula Timperley, Schuyler Police Department, on both Handgun Qualification and Continuing Education hours for 2015 and have those completed within 90 days from her return to active duty. Captain Moore seconded the motion. Voting in Favor: Sheriff Watson, Chief Wolf, Mr. McCarthy, Chief Larby, Sheriff Koranda, Captain Moore, and Lieutenant Colonel Schwarten.

### **MOTION**

Sheriff Koranda motioned to grant the waiver for Scot Ford of the South Sioux Police Department for both his Continuing Education and Firearms for the year 2015. Sheriff Watson seconded the motion. Voting in Favor: Chief Wolf, Mr. McCarthy, Chief Larby, Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, and Sheriff Watson.

### **MOTION**

Captain Moore motioned to table the waiver for Darnell Huppert of the Washington County Sheriff's Office for his Continuing Education Hours for more information. Sheriff Koranda seconded the motion. Voting in Favor: Mr. McCarthy, Chief Larby, Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, Sheriff Watson, and Chief Wolf.

### **MOTION**

Sheriff Koranda motioned to table the Firearms waiver for Rudolph Svoboda of the Wisner PD until the next available meeting. Sheriff Watson seconded the motion. Voting in Favor: Chief Larby, Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, Sheriff Watson, Chief Wolf, and Mr. McCarthy.

### **MOTION**

Sheriff Watson motioned to grant the waiver request for Shawn Humphrey of the York Police Department for his 2015 Continuing Education hours. Chief Wolf seconded the motion. Voting in favor: Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, Sheriff Watson, Chief Wolf, Mr. McCarthy, and Chief Larby.

- B. Waiver of Supervision Training In-Lieu-Of LPO;**  
Sgt. Mike Pettit and Sgt. Corey Brown, Bellevue Police Department
- C. Waiver of Supervision Training In-Lieu-Of LPO;**  
Sgt. Dustin Franks, Bellevue Police Department

Mr. Muldoon requested B and C be taken together.

### **MOTION**


Captain Moore motioned to grant the waiver for Supervision training In-Lieu-Of LPO to Bellevue Police Department Sergeant Mike Pettit, Sergeant Corey Brown, and Sergeant Dustin Franks. Lieutenant Colonel Schwarten seconded the motion. Voting in Favor: Mr. McCarthy, Chief Larby, Sheriff Koranda, Captain Moore, Lieutenant Colonel Schwarten, Sheriff Watson, and Chief Wolf.

### **VII. OTHER BUSINESS**

- A. Date, Time & Location of Next Meeting**  
March 16, 2016, 9:00; Library, Nebraska Law Enforcement Training Center,  
3600 North Academy Road, Grand Island, Nebraska 68801

Hearing no other business the meeting adjourned at 12:02 PM.

Respectfully,



Kay Fielding  
Secretary to the Council